IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO : 14551 of 2001

Between:

1. The Thipparty PACS, Rep. by its Secretary, Beesa Somanath,

S/o Koti Veeraiah, Thipparty Post and Mandal, Nalgonda District.
2 The Rajupeta PACS, Rep. by its Secretary,Chamala Shankaraiah,

S/o Sathaiah, Rajupeta Post, Thipparthy Mandal,
Nalgonda District.
3. The Gollaguda PACS, Rep. by its Secretary,Vinjamuru Laxman Rao,

S/o Rameshwar Rao, Gollaguda Post, Nalgonda Mandal,
Nalgonda District.
4. The Domalapally PACS, Rep. by its Secretary,Cholleti Brahmachary,

S/o Narsimha, Domalapally Post, Nalgonda Mandal,
Nalgonda District.
5. The Appajipeta PACS, Rep. by its Secretary, Punna Jagjeevan,

S/o Kanakaiah, Appajipeta Post, Nalgonda Mandal,
Nalgonda District.
6. The Cherlapally PACS, Rep. by its Secretary,

G.Laxminarsimha Reddy,S/o Seethareddy,
Cherlapally Post, Nalgonda Mandal, Nalgonda District.
7. The Panagal PACS, Rep. by its Secretary, Mohd Khaja Moinuddin,

S/o Bhashumia, Panagal Post, Nalgonda Mandal,
Nalgonda District.
8. The Yallareddyguda PACS, Rep. by its Secretary,

Kalakonda Pentauah,S/o Kistaiah, Narketpally Post and Mandal
Nalgonda District.
9. The Narketpelly PACS, Rep. by its Secretary,

Kasireddy Madusudhan Reddy, S/o. Narsimha
Narketpally Post and Mandal, Nalgonda District.

10. The Akkenapally PACS, Rep. by its Secretary,

Gayam Venkat Reddy,S/o Narsimha Reddy,
Akkenapally Post, Narketpally Mandal, Nalgonda District.

11. The Kattangur PACS, Rep. by its Secretary, Mohd Ibrahim,

S/o Ahned Ali, Kattangur Post and Mandal, Nalgonda District.

12. The Nereducharla PACS, Rep. by its Secretary,V.Krishna Murthy,

S/o Narayana, Nereducharla Post and Mandal, Nalgonda District.

13. The Kallur PACS, Rep. by its Secretary,K.Venkateswer Rao,

S/o Narayya, Kallur Post, Nereducherla Mandal,
Nalgonda District.

14. The Dirchincharla PACS, Rep. by its Secretary,K.Shesha Charya,

S/o Varda Charya, Dirchincharla Post, Nereducherla Mandal,

Nalgonda District.

15. The Palakeedu PACS, Rep. by its Secretary,K.Sathyanarayana,

S/o Rajaiah, Palakeedu Post, Nereducherla Mandal,
Nalgonda District.

16 The Chillapally PACS, Rep. by its Secretary,Md.Jaheeruddin,

S/o Amiruddin, Chillapally Post, Nereducherla Mandal,
Nalgonda District.

17 The Somaram PACS, Rep. by its Secretary, S.Krishnaiah,

S/o Peddi Ramulu, Somaram Post, Nereducherla Mandal,
Nalgonda District.

18 The Penchikaldinna PACS, Rep. by its Secretary,

K.Sathyanarayana Reddy,S/o VenkatReddy
Penchikaldinna Post, Nereducherla Mandal,
Nalgonda District.

19 The Alangapuram PACS, Rep. by its Secretary,K.Jallel Ahmed,

S/o Abdul Sida, Alangapuram Post, Nereducherla Mandal,
Nalgonda District.

20 The Decharam PACS, Rep. by its Secretary,Md.Chand,

S/o Mansur Ali, Dacharam Post, Nereducherla Mandal,
Nalgonda District.

21. The Sarvaram PACS, Rep. by its Secretary,K.Ram Reddy,

S/o Veera Reedy, Sarvaram Post, Garidepally Mandal,
Nalgonda District.

22 The Rayanaguda PACS, Rep. by its Secretary,K.Venkateswarlu,

S/o Somaiah, Rayanaguda Post, Garidepally Mandal,

Nalgonda District.

23. The Velidanda PACS, Rep. by its Secretary,Sd.Rahaman Ali,

S/o Subhan Ali, Velidanda Post, Garidepally Mandal,
Nalgonda District.

24 The Kalmalcheruvu PACS, Rep. by its Secretary,Ch.Rajeshwar Rao,

S/o Seetha Ramaiah, Kalmalcheruvu Post, Garidepally Mandal,
Nalgonda District.

25 The Jiblak Pally PACS, Rep. by its Secretary, K.Omram Reddy,

S/o Kanaka Reddy, Jiblak Pally Post, Pochampally Mandal,
Nalgonda District.

26. The Narayan Puram PACS, Rep. by its Secretary,P.Yadi Reddy,

S/o Yella Reddy, Narayanapuram Post and Mandal,
Nalgonda District.

27 The S.Lingotam PACS, Rep. by its Secretary, A.Shankaraiah,

S/o Chandraiah, S.Lingotam Post and Mandal, Nalgonda District.

28 The Veliminedu PACS, Rep. by its Secretary, K.Sathaiah,

S/o Veeraiah, Veliminedu Post, Chityal Mandal, Nalgonda District.

29 The Gujja PACS, Rep. by its Secretary, Mutyala Laxma Reddy,

S/o Shamba Reddy, Narayanpur Mandal, Nalgonda District.

30 The Gudapur PACS, Rep. by its Secretary,

Akki Raju Jagan Mohan Rao,S/o Narayana Munugodu Mandal,

Nalgonda District.

31 The Cheekati Mamidi PACS, Rep. by its Secretary,

Kondoju Venkata Chary, S/o Sathaiah,
Munugodu Mandal, Nalgonda District.

32 The Munugode PACS, Rep. by its Secretary, Mohd.Khairath Ali,

S/o Jamaluddin,
Munugodu Mandal, Nalgonda District.

33. The Rat Pelly PACS, Rep. by its Secretary, K.V.Narasimha Chary,

S/o Mana Chary, Chandur Mandal, Nalgonda District.

34. The Kalava Kuntla PACS, Rep. by its Secretary,

Masafathula Pulliah,S/o Mattaiah,
Munugodu Mandal, Nalgonda District.

35 The Kanagal PACS, Rep. by its Secretary, Mamidi Bhadraiah,

S/o Lingiah, Kanagal Post and Mandal, Nalgonda District.

36 The Chetla Chennaram PACS, Rep. by its Secretary,

Mittapelly Ramakrishna,S/o Eshwaraiah
Kanagal Mandal, Nalgonda District.

37 The Gaddamvari Yedavelly PACS, Rep. by its Secretary,

Ramaraju Venugopal Rao,S/o R.V.R.N.Rao
Kanagal Mandal, Nalgonda District.
38 The Pajjur PACS, Rep. by its Secretary,Pothula Ramulu,

S/o Laxminarsiah, Thipparthy Mandal, Nalgonda District.
39 The Choutuppal PACS, Rep. by its Secretary, S.Bal Reddy,

S/o Narayana Reddy, Choutuppal Post and Mandal,

Nalgonda District.
40 The Gundrampally PACS, Rep. by its President,

Rachakonda Kistaiah, S/o Ramulu, Gundrampally Post,

Chityal Mandal, Nalgonda District.

..... PETITIONERS

AND

1 The General Manager, The Nalgonda District Co-op. Central Bank Nalgonda, Nalgonda District.
2 The Branch Manager, The Nalgonda District Co-op. Central Bank Nereducherla Branch, Nereducherla Post & Mandal, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction, more particularly in the nature of the Writ of Mandamus declaring the action of the respondents in deducting the crop insurance premium from the crop loans amounts to be advanced to the members of the petitioner societies at the rate of 4.5% and 2.5% towards the crop insurance premium for the Khariff and Rabby seasons 2001-2002 as illegal, arbitrary un-constitutional.

Counsel for the Petitioner:MR.M.KESAVA RAO

Counsel for the Respondent Nos.1 and 2:GP FOR COOPERATION

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.14551 OF 2001

ORDER:

The petitioners, who are forty in number, are statedly primary agricultural cooperative societies. As per the crop insurance scheme, every borrower of agricultural loan was required to pay crop insurance ranging from 2.5% to 4.5% whenever they availed cooperative loans. When the deduction of crop insurance was insisted upon by the respondents during khariff and rabby seasons 2001-2002, they filed the present Writ Petition. The petitioners prayed for a declaration that the action of the respondents in deducting crop insurance for khariff and rabby seasons 2001-2002 is illegal and arbitrary.

This Court while admitting the Writ Petition passed interim directions. The cause of auction, which arose in 2001-2002, does not survive. The Writ Petition is therefore dismissed as infructuous. No costs.

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(V.V.S.RAO, J)

22.7.2005

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To

1 The General Manager, The Nalgonda District Co-op. Central Bank
Nalgonda, Nalgonda District.
2 The Branch Manager, The Nalgonda District Co-op. Central Bank
Nereducherla Branch, Nereducherla Post & Mandal,
Nalgonda District.

3 2 CCs to G.P. for Cooperation, High Court Bldgs., Hyderabad (OUT)

4 2 CD copies